

118TH CONGRESS
1ST SESSION

H. R. 1147

AN ACT

To amend the Richard B. Russell National School Lunch Act to allow schools that participate in the school lunch program under such Act to serve whole milk.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Whole Milk for
3 Healthy Kids Act of 2023”.

4 **SEC. 2. ORGANIC OR NON-ORGANIC WHOLE MILK PERMISSIBLE.**
5

6 Section 9(a)(2) of the Richard B. Russell National
7 School Lunch Act (42 U.S.C. 1758(a)(2)) is amended—

8 (1) by amending subparagraph (A) to read as
9 follows:

10 “(A) IN GENERAL.—Lunches served by
11 schools participating in the school lunch pro-
12 gram under this Act—

13 “(i) shall offer students a variety of
14 fluid milk;

15 “(ii) may offer students flavored and
16 unflavored organic or non-organic whole,
17 reduced-fat, low-fat and fat-free fluid milk
18 and lactose-free fluid milk; and

19 “(iii) shall provide a substitute for
20 fluid milk for students whose disability re-
21 stricts their diet, on receipt of a written
22 statement from a licensed physician that
23 identifies the disability that restricts the
24 student’s diet and that specifies the sub-
25 stitute for fluid milk.”; and

26 (2) by adding at the end the following:

1 “(D) SATURATED FAT.—Milk fat included
2 in any fluid milk provided under subparagraph
3 (A) shall not be considered saturated fat for
4 purposes of measuring compliance with the al-
5 lowable average saturated fat content of a meal
6 under section 210.10 of title 7, Code of Federal
7 Regulations (or successor regulations).

8 “(E) PROHIBITION ON CERTAIN PUR-
9 CHASES.—The Secretary shall prohibit schools
10 participating in the school lunch program under
11 this Act from purchasing or offering milk pro-
12 duced by China state-owned enterprises.

13 “(F) LIMITATION ON AUTHORITY.—The
14 Secretary may not prohibit any school partici-
15 pating in the school lunch program under this
16 Act from offering students the milk described in
17 subparagraph (A)(ii).”.

Passed the House of Representatives December 13,
2023.

Attest:

Clerk.

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